

REMARKS

As a preliminary matter, Applicants thank the Examiner for the acknowledgement of allowable subject matter in claims 30-33 and 44-45.

As a second preliminary matter, Applicants thank the Examiner for the withdrawal of the outstanding Section 112 rejection.

As a third preliminary matter, Applicants thank the Examiner for the courtesy shown to Applicants' representative, Josh C. Snider, in the telephone interview conducted on October 19, 2006. Independent claims 1-2 and 7 were discussed, and with respect to the outstanding rejection based on the proposed combination of Takiguchi et al. (U.S. 5,496,497) with Wakita et al. (U.S. 5,307,190). Although agreement was not reached in the interview with respect to the patentability of the present claims, several of the outstanding issues in the case were clarified.

Specifically, it was agreed in the interview that the composition and structures shown in Figs. 3B and 4B of the present Application are different from the prior art. The Examiner stated her position, however, that she is interpreting some of the recited terms in the pending claims more broadly than they are particularly used in the present Specification. For example, the Examiner stated that she interprets the claim term "liquid crystal layer contacting surface" to include any material structure that contacts any portion of the liquid crystal, and not only as the upper surface of one substrate, as consistently shown in the present Specification. Although Applicants do not agree that the claim term should thus be

interpreted differently than how it is clearly defined in the Specification, Applicants have amended the term further herein along the lines discussed in the interview, namely, to be the upper surface of one of the pair of substrates.

In light of the interview, the Examiner also agreed to reconsider the claim term “adhered” with respect to the “adhered cross-linked structural part.” The Examiner agreed that neither of the prior art references shows a structural portion that is fixedly adhered to one of the substrates, as in the present invention. It was agreed that the clarifying amendments to the upper surface of the substrate, discussed above, will allow the Examiner to give the “adhered” limitations more patentable weight.

Accordingly, Applicants again traverse the repeated obviousness rejection of the present claims based on the proposed combination of Takiguchi with Wakita, for at least the reasons of record (the previous arguments being incorporated by reference herein), and in light of the October 19 telephone interview and amendments to the claims herein. Specifically, Applicants again submit that neither prior art reference, whether taken alone or in combination, shows either an “adhered cross-linked structural part” or a “rising terminal part,” both as recited in all of independent claims 1, 2, and 7 of the present invention, as amended.

The Examiner has previously implicitly acknowledged that neither reference discloses these structural features as in the present invention, by referring to Applicants’ own disclosure (last two lines of page 3 of the outstanding Office Action) as the source for the

teaching of these structural features. The Examiner explained in the interview, however, that her reference to the present Specification was an effort to interpret some of the pending claim terms that were not clear to her. The Examiner was interpreting the structural part of the present invention to be any similar chemical composition in the prior art that contacted any portion of the prior art liquid crystal. As discussed in the interview though, the clarifying amendments to the independent claims should now resolve this confusion.

The independent claims of the present invention do not merely claim the particular chemical compounds taught by the prior art. Instead, the present claims, additionally recite a specific structure into which particular compounds form, and adhere to a substrate. These structural features do not appear in either of the two cited prior art references. Takiguchi only teaches cross-linking in general, but does not teach any adhered cross-linked structure, or structural part, that is also adhered to an upper surface of one of the substrates and a rising terminal part. Neither reference shows any structure fixedly adhered to either substrate, and also to a rising terminal part that rises toward the liquid crystal. Applicants therefore submit that the rejection has been overcome for at least these reasons.

Even if particular elements *may be* formed into a specific structure, there is no teaching or suggestion within either cited reference that any of their particular compounds must form into such a structure. As previously argued, Fig. 4B of the present Application illustrates a particular structure, and a process of creating this structure, that is not taught or suggested within either prior art reference, and particularly in Takiguchi. The recited

structural features of the present invention are thus clearly supported by the present Specification, and neither prior art reference reads upon these recited features. Accordingly, the outstanding Section 103 obviousness rejections are again respectfully traversed for at least these reasons, and should be withdrawn.

New claim 47 has been added to recite another combination of features of the present invention. Specifically, new claim 47 depends from independent claim 1, and further defines how the adhered cross-linked structural part is actually a thin film formed on the substrate. The Examiner should see that this dependent claim better illustrates the previous discussion of "thin film," and how even the high concentration of certain compounds in the liquid crystal of the prior art still would not amount to a structural thin film itself on a substrate. Entry, consideration on the merits, and allowance of new claim 47 are also respectfully requested.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1-45 and 47, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Josh C. Snider

Registration No. 47,954

Customer No. 24978

November 30, 2006

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Telephone: (312) 360-0080
Facsimile: (312) 360-9315